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MEMO ENDORSED

Hon. Barbara Moses
United States Magistrate Judge
U. S. District Court for the Southern District of New York 500 Pearl St., New York, NY 10007

Re: *The JADE FARM LLC v DARA MIRAHANGIRY, et al.*, Case No. 22-cv-03128– Letter Seeking Clarification on Order dated March 2, 2023 Dk. 81

Dear Judge Moses:

This joint letter is written for clarification of Dk.81. In your Honor's order, discovery has been extended, but states for limited purposes "forensic search". Plaintiff Counsel interprets this to mean, Subpoena powers are still in effect. Plaintiff does not need to file a motion, prior to issuing a Subpoena for non-parties that potentially have discoverable information in this matter. Defense counsel interprets this order to prohibit the issuance of Subpoenas, and thus would require the filing of a motion. We ask for clarification if the Subpoena power is permitted under the order, or if a motion is required.

Dated: Jericho, New York
March 21, 2023

ANDREW K STAULCUP PC

By: /s/
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To the extent plaintiff seeks leave to conduct continued general fact discovery via subpoena, plaintiff's application is DENIED. On March 2, 2023, the Court extended the fact discovery deadline to June 2, 2023, "for the limited purposes of conducting the discovery set forth above." (Dkt. 81 ¶ 3.) Sending subpoenas to "non-parties that potentially have discoverable information in this matter" does not come within the limited discovery set forth in the March 2 Order. The Clerk of Court is respectfully directed to close the motion at Dkt. 83. **SO ORDERED.**



Barbara Moses
United States Magistrate Judge
March 21, 2023